



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/641,184	08/17/2000	Brian John Cragun	ROC920000064	5343

7590 04/19/2006

Gero G McClellan
Thomason Moser & Patterson LLP
Suite 1500
3040 Post Oak Boulevard
Houston, TX 77056-6582

EXAMINER

LAZARO, DAVID R

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/641,184

Applicant(s)

CRAGUN, BRIAN JOHN

Examiner

David Lazaro

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 March 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: none.
Claim(s) objected to: none.
Claim(s) rejected: 21-28 and 33-37.
Claim(s) withdrawn from consideration: none.


AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s) (PTO/SP-08 or PTO-1449) Paper No(s). _____.
13. ☒ Other: See Continuation Sheet.


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER


David Lazaro
April 12, 2006

Continuation Sheet

Continuation of 11:

The applicants assert Anupam does not teach the forming of a "compound network address". Specifically, applicants are asserting that the smart bookmark of Anupam is not "a network address". Applicants state, *"the link traversals in Anupam do not form a network address, but are instead stored separately as steps"* and that the smart bookmark itself is not a network address. Applicants have not presented any reasoning as to how these statements distinguish the claimed subject matter from the cited prior art. The examiner does not see the particular relevance of such statements in relation to the actual claimed subject matter. Specifically, the claimed subject matter does not state a "network address" is formed, but rather a "network address" is used to form a "compound network address". The examiner asserts that that a proper prima facie case has been established in relation to the combination of Anupam and Matson when considering the "compound network address" as defined by the actual claimed subject matter.

According to the actual claimed subject matter in Claim 21, a "compound network address" is formed by "combining a network address of a base resource and at least one data structure indicative of user manipulation of said base resource". The smart bookmark of Anupam is also formed by taking a network address of a base resource (Col. 7 lines 51-53 and Col. 8 lines 10-13, also see Col. 6 lines 12-16) and combining it with a data structure indicative of the user manipulating the network address of a base resource (Col. 7 lines 53- Col. 8 line 9, Col. 8 lines 14-53, and Col. 6 lines 15-41).

These combined elements can be saved either on disk or saved on the network at a designated URL (Col. 7 lines 44-47). In defining the actual functionality of a "compound network address", the claim language further states a "compound network address" is "suitable for retrieving a resource according to the stored user manipulations, wherein at least one user manipulation is stored using at least one coordinate of a pointer selection made by a user, wherein the pointer selection comprises a target network address of a resource retrieved by the user." The smart bookmark of Anupam is suitable for retrieving a resource according to the stored user manipulations (Col. 7 lines 50 - Col. 8 line 53). The rejection presented in the 12/29/2005 office action also shows that the additional functionality is obvious in view of the combination of Anupam and Matson. As such, the prior art references teach or suggest all the actual claim limitations and a proper prima facie case is established based on the presented rejection.

Similarly with claim 25, Applicants argue *"the data is not stored as a URL with a base URL and a sequence of executable selections, nor is the smart bookmark a URL"*. While it may be arguable that a smart bookmark is not a URL from the standard technological viewpoint, the URL of claim 25 is not considered to be a URL from the standard technological viewpoint. This is because claim 25 defines a URL by the actual claimed subject matter it is comprised of. Based on what the actual claim language defines as being a "URL", the examiner asserts the smart bookmark of Anupam (in combination with the teachings of Matson) is indeed a URL. As explained above, a smart bookmark contains a base URL, which defines a location of a resource to be retrieved (network address of a base resource), and a sequence of executable

selections (data structure indicative of the user manipulating the network address of a base resource). The rejection presented in the 12/29/2005 office action also shows that the additional functionality is obvious in view of the combination of Anupam and Matson. As such, the prior art references teach or suggest all the actual claim limitations and a proper prima facie case is established based on the presented rejection.

With respect to claim 33, Applicants argue *"the steps, or the smart bookmark, do not form a URL chain record header comprising a base URL and a plurality of URL chain records"*. The claim language states "a uniform resource locator (URL) chain header record comprising" and "URL chain records comprising". Based on the evidence explained above, the prior art references teach or suggest all the actual claim limitations following both of these "comprising" states, and therefore, teach or suggest a *"a URL chain record header comprising a base URL and a plurality of URL chain records"*. The examiner asserts a proper prima facie case is established based on this and the presented rejection.

Overall, applicants have not provided sufficient evidence or explanation as to how and why the specific claimed subject matter is distinguished from the prior art. As such, applicants' arguments are not persuasive.

Continuation of 13:

Claims 21-28 and 33-37 are rejected based on the same grounds of rejection as presented in the 12/29/2005 office action.